

OF

HARFORD COUNTY, MARYLAND

BILL NO. 76-81 (as amended)

Introduced by Councilman Spry

Legislative Day No. 76-30

Date: September 7, 1976

AN ACT to repeal Section 229 of the Code of Public Local Laws of Harford County (1965 Edition, as amended), heading, "Commission on Human Relations", and to enact new Article 6, heading, "Human Relations", to be added to Chapter 14 of the Harford County Code (1975), heading, "Morals and Conduct"; Article 6 to generally make unlawful certain practices which violate a person's civil liberties, constitutional rights or are discriminatory in the areas of housing, employment, education, public accommodations and other related fields as situations may require; to ensure that all citizens are provided equal protection, equal treatment and due process of the law; to prohibit certain methods of solicitation for the sale or purchase of real estate; to provide for penalties for the violation of this Act; to provide for the definition of certain terms of this Act; to provide for a screening of complaints by the Human Relations Commission Coordinator; to provide for remedial actions and damage awards for violation of provisions of this Article; and generally relating to human relations in Harford County, Maryland.

By the Council, September 7, 1976

Introduced, read first time, ordered posted and public hearing scheduled

on: October 5, 1976

at: 7:00 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on October 5, 1976 and concluded on October 5, 1976.

Angela Markowski, Secretary

BILL NO. **76-81**  
AS AMENDED

1 WHEREAS, the Constitutions of the United States and the  
2 State of Maryland establish that all men are created equal and  
3 are endowed with certain inalienable rights, that among these  
4 are life, liberty and the pursuit of happiness; and

5 WHEREAS, the Charter of Harford County, Maryland,  
6 requires that all persons be accorded the equal treatment and  
7 protection of the laws; and

8 WHEREAS, all persons should exercise and enjoy all  
9 civil, economic, political and housing rights without interference  
10 in a manner which is applied equally and without discrimination  
11 because of race, creed, color, sex, national origin, age,  
12 occupation, marital status, political opinion, physical or  
13 mental handicap, personal appearance or other such found unjust  
14 cause; and

15 WHEREAS, the Human Relations Commission is established  
16 under Section 411 of the Charter of Harford County, Maryland; and

17 WHEREAS, the County Council of Harford County desires  
18 to carry out the requirements of the Charter and effectuate its  
19 provisions; and

20 WHEREAS, the population of Harford County, Maryland,  
21 consists of persons of many races, colors, religions, ancestries,  
22 national origins, occupations, varied appearances and varied  
23 disabilities, none of whom should be denied civil, political,  
24 economic or housing rights enjoyed by other persons in the  
25 County; and

26 WHEREAS, the denial of equal opportunity to or the  
27 interference with the civil liberties of any citizen endangers  
28 the rights and privileges of all citizens, intensifies group  
29 conflict, undermines the basic premises of a democratic society,  
30 adversely affects the general welfare of the entire community  
31 and reduces its productive capacity.

32

1 Section 1. *Be It Enacted By The County Council Of Harford County,*  
2 *Maryland,* that Section 229 of the Code of Public Local Laws of  
3 Harford County (1965 Edition, as amended), heading, "Commission  
4 on Human Relations", be, and it is hereby repealed and that new  
5 Article 6, heading, "Human Relations", be, and it is hereby added  
6 to Chapter 14, heading, "Morals and Conduct", of the Harford  
7 County Code (1975), said Article to stand in place of the Section  
8 repealed, all to read as follows:

9 CHAPTER 14. MORALS AND CONDUCT.

10 ARTICLE 6. HUMAN RELATIONS.

11 Section 14-35. Legislative Finding.

12       The population of Harford County, Maryland, consists  
13 of persons of all age groups, both sexes and of many races,  
14 colors, religions, ancestries, national origins, varied  
15 appearances and varied disabilities, all of whom should be free  
16 to exercise and enjoy all civil and constitutional rights, be  
17 assured equal protection of the law, equal treatment and fair  
18 treatment of the law and due process of the law, with respect to  
19 education, housing, administration of justice, employment, public  
20 accommodations, governmental services and other related fields as  
21 situations may require without interference and without  
22 discrimination because of race, creed, color, sex, national  
23 origin, ancestry, age, occupation, marital status, political  
24 opinion, personal appearance, mental or physical disability and  
25 the denial of any or all of these rights, privileges or freedom  
26 endangers the rights of all citizens, intensifies group conflict,  
27 undermines the basic premises of a free society under democracy,  
28 adversely affects the general welfare of the entire community  
29 and reduces its productive capacity.

30 Section 14-36. General Principles.

31       (a) It shall be the function of the County Government  
32 to foster and encourage the growth and development of Harford

1 County in a manner that will ensure that all persons shall have  
2 an equal opportunity to pursue their lives free of discrimination  
3 imposed because of race, creed, color, sex, national origin,  
4 age, occupation, marital status, political opinion, personal  
5 appearance and mental or physical disability. Discriminatory  
6 practices based upon the foregoing criteria are hereby declared  
7 contrary to public policy of Harford County.

8 (b) The County Government shall direct its efforts  
9 and resources toward eliminating discriminatory practices within  
10 Harford County in the areas of housing, employment, administration  
11 of justice, education, public accommodations and any other  
12 facets of the lives of its citizens where such practices may  
13 be found to exist.

14 Section 14-37. Definitions.

15 For the purposes of this Article, the following words  
16 and terms are defined:

17 (a) Commission. The Human Relations Commission as  
18 established by the Charter of Harford County, Maryland.

19 (b) Discrimination. Acting or failing to act, or  
20 unduly delaying any action regarding any person because of  
21 race, creed, color, sex, origin, age (except as required by  
22 State or Federal law), occupation, marital status, political  
23 opinion, personal appearance, physical or mental handicap, in  
24 a way that adversely affects or interferes with his or her civil  
25 and constitutional rights, equal and fair treatment, due process  
26 in the areas of housing, employment, administration of justice,  
27 County services, education, public accommodations or other such  
28 related area.

29 (c) Dwelling. Any building or structure, or portion  
30 thereof, which is designed, intended or arranged for use or  
31 occupancy as a home, residence or sleeping place of one (1) or  
32 more individuals.

1 (d) Employer. Any person engaged in commerce,  
2 industry, agriculture or a lawful profession, who for compensation  
3 has hired or contracted for the services of five (5) or more  
4 employees, for a total of twenty (20) or more hours in the  
5 current or preceding calendar year, and an agent of such person.  
6 Employer does include Harford County, Maryland, a body corporate  
7 and politic of the State of Maryland, to the extent provided in  
8 this Act and other governmental agencies.

9 (e) Employment Agency. Any person regularly under-  
10 taking with or without compensation to procure employees for an  
11 employer or to procure for employees opportunities to work for  
12 an employer and includes an agent of such a person, but shall  
13 not include any agency of the Federal or State Governments.

14 (f) Equal Treatment. Equal treatment shall include,  
15 but not be limited to, equal protection of the laws or a  
16 requirement of applying the same set of standards in a like  
17 manner in like instances, situations, occurrences or happenings  
18 with respect to the effect on a person's quality of life,  
19 liberty or the pursuit of happiness.

20 (g) Housing. Any dwelling for the use of one (1) or  
21 more individuals, groups or families, any mobile home site and  
22 any land offered for sale or lease for the construction of  
23 such dwelling, building, structure or mobile home site.

24 (h) Human Relations Commission Coordinator shall mean  
25 that person or persons assigned by Harford County under the  
26 guidance of the Human Relations Commission to investigate complaints  
27 arising out of a violation of this Act. The term shall include the  
28 word, Investigator, and supportive staff of the Coordinator.

29 (i) Labor Organization. A person or organization  
30 which exists for the purpose, in whole or in part, of dealing  
31 with employers concerning grievances, labor disputes, wages,  
32 rates of pay, hours or other terms or conditions of employment

1 and any conference, general committee, joint of system board,  
2 or joint council so engaged which is subordinate to a national  
3 or international labor organization.

4 (j) Lending Institution. Any bank, insurance company,  
5 savings and loan association or any other person or organization  
6 regularly engaged in the business of lending money or  
7 guaranteeing loans within Harford County.

8 (k) Occupation. The principal lawful activity of  
9 one's life. PERSONS INCLUDED IN THIS DEFINITION ARE STUDENTS,  
10 WELFARE RECIPIENTS, RETIRED PERSONS AND ALL OTHER PERSONS,  
11 IRRESPECTIVE OF INCOME, WHO ARE DENIED THE EQUAL PROTECTION OF  
12 THE LAWS.

13 (l) Place of Public Accommodation. Any retail store,  
14 inn, hotel, motel or other establishment which provides lodging  
15 to transient persons; or any restaurant, cafeteria, lunchroom,  
16 lunch counter, soda fountain or other facility at which food  
17 or alcoholic beverages are sold for consumption on the premises;  
18 or any gasoline station, motion picture house, theater, concert  
19 hall, sports arena, stadium or place of exhibition or  
20 entertainment. IT SHALL ALSO INCLUDE ANY ATHLETIC OR RECREATION  
21 FACILITY; OR ANY BARBER SHOP, BEAUTY SALON, HEALTH SPA OR OTHER  
22 SIMILAR FACILITY; OR ANY MEDICAL AND HEALTH SERVICE INDIVIDUAL,  
23 BUSINESS OR FACILITY WHICH MAINTAINS A BUILDING OR OFFICE FOR  
24 PROVIDING RELATED SERVICES OR HEALTH CARE TO THE PUBLIC; OR ANY  
25 EDUCATIONAL OR TRAINING FACILITY AND PROGRAM WHICH PROVIDES  
26 RELATED SERVICES.

27 (11) RESTRICTIVE COVENANTS. ANY SPECIFICATION LIMITING  
28 THE TRANSFER, RENTAL OR LEASE OF ANY DWELLING BECAUSE OF RACE,  
29 COLOR, RELIGION OR NATIONAL ORIGIN.

30 (m) Unlawful Practice. An act of commission or  
31 omission for which a legislative act has declared unlawful and  
32 which the County shall have the power to order such activity to

1 discontinue.

2       (n) PERSON INCLUDES ONE (1) OR MORE INDIVIDUALS, LABOR  
3 UNIONS, BUSINESSES, PARTNERSHIPS, ASSOCIATIONS, CORPORATIONS,  
4 LEGAL REPRESENTATIVES, MUTUAL COMPANIES, JOINT STOCK COMPANIES,  
5 TRUSTS, UNINCORPORATED ORGANIZATIONS, TRUSTEES, TRUSTEES IN  
6 BANKRUPTCY, AGENTS OR RECEIVERS.

7       (o) PERSONAL APPEARANCE MEANS THE OUTWARD APPEARANCE OF  
8 ANY PERSON IRRESPECTIVE OF SEX WITH REGARD TO HAIR STYLE, BEARDS  
9 OR MANNER OF DRESS. IT SHALL NOT RELATE, HOWEVER, TO THE  
10 REQUIREMENT OF CLEANLINESS, UNIFORMS OR PRESCRIBED ATTIRE WHEN  
11 UNIFORMLY APPLIED FOR ADMITTANCE TO A PUBLIC ACCOMMODATION OR A  
12 CLASS OF EMPLOYEES FOR A CUSTOMARY OR REASONABLE BUSINESS.

13       (p) POLITICAL OPINION MEANS THE OPINION OF PERSONS  
14 RELATING TO GOVERNMENT OR THE CONDUCT OF GOVERNMENT; OR RELATED TO  
15 POLITICAL PARTIES AUTHORIZED TO PARTICIPATE IN PRIMARY ELECTIONS  
16 IN THE STATE OF MARYLAND.

17 Section 14-38. Unlawful Housing Practices.

18       (a) It shall be an unlawful practice, because of  
19 discrimination, for any person having the right to sell, rent,  
20 lease, control, construct or manage any dwelling, or any agent or  
21 employee of such person:

22               (1) To refuse to sell or rent after the making of  
23 a bona fide offer, or to refuse to negotiate for the sale or  
24 rental of, or otherwise make unavailable or deny a dwelling.

25               (2) To discriminate against any person in the  
26 terms, conditions or privileges of sale or rental of a dwelling,  
27 or in the provision of services or facilities in connection  
28 therewith.

29               (3) To make, print or publish, or cause to be  
30 made, printed or published, any notice, statement or advertisement  
31 with respect to the sale or rental of a dwelling that indicates  
32 any preference, limitation or discrimination, or an intention to

1 make any such preference, limitation or discrimination.

2 (4) To represent to any person for reasons of  
3 discrimination that any dwelling is not available for inspection,  
4 sale or rental when such dwelling is in fact so available.

5 (5) To deny any person access or membership or  
6 participation in any multiple listing service, real estate broker's  
7 organization or other service, organization or facility relating  
8 to the business of selling or renting dwellings, or to discriminate  
9 against him in the terms or conditions of such access, membership  
10 or participation.

11 (6) To include in any transfer, sale, rental or  
12 lease of housing any restrictive covenants that discriminate; or  
13 for any person to honor or exercise, or attempt to honor or  
14 exercise any discriminatory covenant pertaining to housing.

15 (b) It shall further be an unlawful discriminatory  
16 housing practice:

17 (1) For any person, firm, corporation or associa-  
18 tion, whether or not acting for monetary gain, knowingly to  
19 induce or attempt to induce another person to transfer an interest  
20 in real property, or to discourage another person from purchasing  
21 real property, by representations regarding the existing or  
22 potential proximity of real property owned, used or occupied by  
23 persons of any particular race, color, religion, national origin,  
24 sex, age, personal appearance, political opinion, physical or  
25 mental handicap, and marital status, or to represent that such  
26 existing or potential proximity will or may result in:

27 (A) The lowering of property values;

28 (B) A change in the racial, religious or  
29 ethnic character of the block, neighborhood or area in which the  
30 property is located;

31 (C) An increase in criminal or antisocial  
32 behavior in the area;



1 (D) A decline in quality of the schools serving  
2 the area.

3 (2) For any person, firm, corporation or  
4 association to solicit or attempt to solicit the listing of  
5 dwellings for sale, or lease, by door-to-door solicitation, in  
6 person, by telephone or by mass distribution of circulars, for  
7 the purpose of changing the racial composition of the neighborhood.

8 (3) For any person to place a sign or display  
9 any other device which offers for sale, lease, assignment, transfer  
10 or other disposition of any real property used for the purpose  
11 of housing, which sign, display or device is designed to stimulate  
12 the belief that a bona fide offer is being made to sell, lease,  
13 assign, transfer or otherwise dispose of said property, when in  
14 fact such property is not being offered for the advertised sale,  
15 lease, assignment or transfer.

16 (4) For any person to maintain upon the premises  
17 of real property which is used for housing and which has, in fact,  
18 been leased, sold, assigned, transferred or otherwise disposed of,  
19 for a period in excess of seven (7) calendar days after the  
20 execution of any contract or written agreement for the sale,  
21 lease, assignment or transfer thereof, any sign or other display,  
22 indicating that the said property is still being offered for lease,  
23 sale, assignment or transfer.

24 (c) Further:

25 (1) Any restrictive covenant, whether heretofore  
26 or hereafter included in an instrument affecting the title to real  
27 or leasehold property, is declared to be null, void and of no  
28 effect, and contrary to the public policy of Harford County as  
29 well as contrary to the Constitution and the laws of the United  
30 States.

31 (2) Any person who is asked to accept a document  
32 affecting title to real or leasehold property may decline to

1 accept the same, if it includes such a covenant, until the  
2 covenant has been removed from the document. Refusal to accept  
3 delivery of an instrument for this reason shall not be deemed a  
4 breach of a contract to purchase, lease, mortgage or otherwise  
5 deal with such property.

6 (d) Exemptions:

7 Nothing in this subtitle shall prohibit a religious  
8 organization, association or society, or any nonprofit institution  
9 or organization operated, supervised or controlled by or in  
10 conjunction with a religious organization, association or society  
11 from limiting the sale, rental or occupancy of dwellings which  
12 it owns or operates for other than a commercial purpose to persons  
13 of the same religion, or from giving preferences to such persons.  
14 Nor shall anything in this subtitle apply to a private membership  
15 club which is a bona fide club and which is exempt from taxation  
16 under Section 501(c) of the Internal Revenue Code of 1954; nor  
17 shall discrimination based on age be unlawful with regard to  
18 housing operated in connection with any medical, health or  
19 educational institution, or with regard to any domiciliary,  
20 retirement or senior citizens' home or housing, or with regard  
21 to any preschool children's home or facility; nor shall  
22 discrimination be unlawful with regard to the leasing of a  
23 room(s) or apartment(s) in an owner-occupied dwelling consisting  
24 of not more than two (2) rental units.

25 (e) Financing of Dwelling: UNLAWFUL FINANCING PRACTICES.

26 (1) It shall be an unlawful practice for any  
27 lending institution to deny a loan to a person applying therefor,  
28 for purposes including, but not limited to, the purchase,  
29 construction, improvement, repair or maintenance of a dwelling, the  
30 establishment or continuance of a business establishment, or  
31 personal purposes, because of discrimination.

32 (2) It shall also be an unlawful act to discriminate

1 against any person in the fixing of the down payment, interest  
2 rate, duration or other terms or conditions of such a loan.

3 (3) It shall be unlawful for the County Treasurer  
4 or governmental official whose responsibility it is to account for,  
5 invest or manage public funds, to deposit or cause to be deposited  
6 any public funds in any lending institution defined herein which  
7 is found by the County to be unlawfully discriminating provided  
8 such findings are upheld by a court of law. Upon the court's  
9 judicial enforcement of any order to restrain a practice of such  
10 lending institution or any order for said institution to cease or  
11 desist in a discriminatory practice, the County shall notify all  
12 persons in charge of public funds in the name of any such lending  
13 institution found to be practicing discrimination in the course  
14 of providing its customary commercial services. Upon receiving  
15 such notification, the appropriate fiscal officer or treasurer  
16 of the County which has funds deposited in any lending institution  
17 which is practicing discrimination, as set forth herein, shall  
18 take immediate steps to have the said funds withdrawn and  
19 redeposited in another lending institution. If for reasons of  
20 sound economic management this action will result in a financial  
21 loss to the County, the action may be deferred for a period not  
22 longer than one (1) year. If the lending institution in question  
23 corrects its discriminatory practices, any prohibition set forth  
24 in this Section shall not be applicable.

25 Section 14-39. Unlawful Employment Practices.

26 (a) It shall be an unlawful employment practice:

27 (1) For any employer in Harford County to discharge  
28 or to refuse to hire any person, or act against any person with  
29 respect to compensation or other terms and conditions of employment,  
30 or to limit, segregate, classify or assign employees because of  
31 discrimination.

32 (2) For any employment agency in Harford County to

1 fail or refuse to refer a person for employment, or act against  
2 any person respecting the kind of employment for which a referral  
3 could have been made, or to classify a person for employment  
4 because of discrimination.

5 (3) For any labor organization located in Harford  
6 County with respect to the exercise of its functions and activities  
7 within Harford County:

8 (A) To exclude or to expel any person from its  
9 membership or otherwise act against any person because of  
10 discrimination.

11 (B) To limit, segregate or classify its  
12 membership, or to fail or refuse to refer for employment any person,  
13 in any way which would deprive any person of employment opportunities  
14 or would limit such employment opportunities or otherwise adversely  
15 affect his status as an employee or as an applicant for employment  
16 because of discrimination.

17 (C) To cause or attempt to cause an employer  
18 to discriminate against an individual in violation of this Section.

19 (b) For any employer or any labor organization located  
20 or domiciled in Harford County, or any labor organization or  
21 joint labor management committee controlling apprenticeships or  
22 other training or retraining, including on-the-job training  
23 programs, to refuse any person for admission to or employment in,  
24 any program established to provide apprenticeship or other  
25 training, because of discrimination.

26 (c) For an employer, labor organization or employment  
27 agency to print or cause to be printed any notice or advertisement  
28 relating to employment by such an employer, or membership in or  
29 any classification or referral for employment by such a labor  
30 organization, or relating to any classification or referral for  
31 employment by such an agency, indicating any preference, limitation,  
32 specification, based upon discrimination, except where such a

1 limitation or specification is a bona fide occupational  
2 qualification for employment.

3 (d) For an employer to discriminate against any of his  
4 employees or applicants for employment, for an employment agency  
5 to discriminate against any person, or for a labor organization to  
6 discriminate against any member thereof or applicant for member-  
7 ship because he has opposed any practice made an unlawful  
8 employment practice by this Section or because he has made a  
9 charge, testified, assisted or participated in any manner in an  
10 investigation, proceeding or hearing under this Section.

11 (1) Nothing in this Section shall prohibit the  
12 hiring, assignment, compensation or discharge of persons by an  
13 employer, the classification or referral of persons for employment  
14 by an employment agency, the classification of members of a  
15 labor organization or the admission to any program of apprentice-  
16 ship, training or retraining because of BASED ON discrimination,  
17 where it can be demonstrated that it is a bona fide occupational  
18 qualification which is reasonable, necessary and relevant to the  
19 normal operation of a particular business or enterprise. It  
20 shall not be unlawful for a school, college, university or other  
21 educational institution to hire and employ persons of a  
22 particular religion if such school, college, university or other  
23 educational institution is, in whole or in substantial part, owned,  
24 supported, controlled or managed by a particular church, synagogue,  
25 or other religious organization or corporation, or if the curriculum  
26 of said school, college, university or other educational  
27 institution is designed to comply, in whole or in part, with the  
28 doctrines or tenets of a particular religion; and it shall not be  
29 unlawful for an employer, employment agency or labor organization  
30 to observe the terms of a bona fide seniority system or any bona  
31 fide employee benefit plan such as a retirement, pension or  
32 insurance plan, which is not a subterfuge to evade the purposes

1 of this Section, except that no such employee benefit plan shall  
2 excuse the failure to hire any person.

3 (2) Nothing contained in this Section shall be  
4 interpreted to require any employer, employment agency, labor  
5 organization or joint labor-management committee subject to this  
6 Section to grant preferential treatment to any individual or to  
7 any group because of the race, color, religion, sex, age, national  
8 origin, occupation, personal appearance, political opinion, marital  
9 status, physical or mental handicap of such person or group, on  
10 account of an imbalance which may exist with respect to the total  
11 number or percentage of persons of any race, color, religion, sex,  
12 age, national origin, occupation, personal appearance, political  
13 opinion, marital status or physical or mental handicap employed  
14 by an employer, referred or classified for employment by an  
15 employment agency or labor organization, admitted to membership  
16 or classified by a labor organization or admitted to, or employed  
17 in any apprenticeship or other training program in comparison with  
18 the total number or percentage of persons of such race, color,  
19 religion, sex, age, national origin, occupation, personal appear-  
20 ance, political opinion, marital status, physical or mental  
21 handicap.

22 Section 14-40. Unlawful Practices in Public Accommodations.

23 (a) It shall be unlawful for any owner or operator  
24 of a place of public accommodation located in Harford County, or  
25 the agent of any owner or operator of such place of public  
26 accommodation, to deny to any person any of the accommodations,  
27 advantages, facilities or privileges of such a place of public  
28 accommodation because of discrimination.

29 (b) This Section shall not apply to a private club or  
30 similar establishment which is not in fact open to the general  
31 public, except with respect to those facilities of such club or  
32 related establishment which are made available to customers or

1 patrons of an establishment which is subject to the provisions  
2 of this Section.  
3 Section 14-41. Procedures for Processing Complaints Under This  
4 Act.

5 (a) Any person claiming to be aggrieved by an alleged  
6 violation of this Act may proceed directly with civil or criminal  
7 enforcement as provided for by this Act or the aggrieved person  
8 may:

9 (1) File a complaint with the Human Relations  
10 Commission Coordinator of Harford County. If a complaint is so  
11 filed, the following procedures shall be utilized:

12 (A) Complaints shall be filed on a written  
13 complaint form provided by the Coordinator. The complaint shall  
14 state the name and address of the complainant, the respondent and  
15 such other information as may be required from time to time by the  
16 Coordinator. The complaint must be filed within six (6) months  
17 after the alleged violation has occurred or was discovered by the  
18 complainant. Complaints may be reasonably amended at any time  
19 after being filed.

20 (B) Investigation, Determination and Conciliation.

21 (i) After the filing of any complaint, the  
22 Coordinator shall consider the complaint and cause it to be  
23 promptly investigated, and a copy of the complaint and any  
24 amendments thereto shall be served upon the respondent by  
25 certified mail within thirty (30) days after it is filed or  
26 amended.

27 (ii) The results of the investigation shall  
28 be made as written findings and copies of the findings shall be  
29 furnished to the parties.

30 (iii) If the findings are that there is  
31 reasonable cause to believe that a violation of this Act has  
32 occurred, the Coordinator shall immediately, but not later than

1 thirty (30) days after the date of said findings, attempt to  
2 eliminate the violation by conference, conciliation and persuasion.  
3 If an agreement is reached for the elimination of the violation, it  
4 shall be reduced to a legally enforceable written instrument. If  
5 the Coordinator is unable to reach an agreement, the Coordinator  
6 shall so certify in writing that conciliation has failed and  
7 provide notice of such certification to all parties.

8 (iv) If the findings are that there is no  
9 reasonable cause to believe that a violation of this Act has  
10 occurred, the Coordinator shall transmit the findings to the  
11 parties no later than ten (10) days after the date of said findings.

12 (v) If there is a finding that there is a  
13 possible violation of this Act and conciliation has failed, the  
14 Coordinator shall transmit the case to the proper criminal  
15 enforcement authority for further action.

16 Section 14-42. Temporary Remedies.

17 Temporary Restraining Order. If, at any time  
18 after a complaint has been filed, the Coordinator reasonably  
19 believes that appropriate civil action to preserve the status  
20 quo or to prevent irreparable harm is advisable, the Coordinator,  
21 represented by the County Attorney, may bring any action necessary  
22 to preserve such status quo or to prevent such irreparable harm,  
23 including, but not limited to, an action to obtain a temporary  
24 restraining order and for a preliminary injunction.

25 Section 14-43. Falsification of Documents; Intimidation.

26 Any person who willfully falsifies any documents,  
27 records or reports that have been subpoenaed pursuant to this Act  
28 or who willfully gives false testimony before any investigator or  
29 any court of law, or who intimidates any witness, complainant  
30 or respondent in any proceeding before any investigator or court  
31 of law, upon conviction thereof, shall be guilty of a misdemeanor  
32 and shall be subject to a fine of not more than One Thousand



1 Dollars (\$1,000) or to imprisonment for a period not to exceed six  
2 (6) months, or both.

3 Section 14-44. Civil Penalties.

4 Any person who shall be found to have committed a  
5 violation of the provisions of this Section relating to  
6 discriminatory or wrongful practices resulting in damage to the  
7 person aggrieved by said discriminatory or wrongful practices,  
8 shall be liable for the payment to said person aggrieved of a  
9 civil penalty recoverable in a civil action.

10 Section 14-45. Protection of Processes and Witnesses.

11 (a) It shall be unlawful for any person to retaliate,  
12 or to cause or coerce, or attempt to cause or coerce, any other  
13 person to retaliate against any person because such person has  
14 lawfully opposed any act or failure to act that is a violation  
15 of this Act or has, in good faith, filed a complaint, testified,  
16 participated or assisted in any way in any proceeding under this  
17 Act. Any person violating this Section shall be guilty of a  
18 misdemeanor and, upon conviction thereof, shall be punished by  
19 a fine of not more than One Thousand Dollars (\$1,000) or a sentence  
20 of not more than six (6) months in jail, or both.

21 Section 14-46. Confidential Character of Information Relating to  
22 Investigation.

23 (a) During the investigation of any complaint alleging  
24 a violation of this Act, and until said matters reach the stage of  
25 court hearings, the activities of all persons involved in  
26 connection with an investigation shall be conducted without  
27 publicity, and the investigators and other government employees  
28 shall hold confidential any information in relation thereto,  
29 including the identity of the complainant and the respondent,  
30 except that:

31 (1) Any information may be released at any time  
32 if the release has been agreed to in writing by both complainant

1 and respondent;

2 (2) The identity of the complainant shall be  
3 disclosed to the respondent upon request;

4 (3) The persons investigating complaints shall  
5 cooperate with Federal and State agencies.

6 (4) Any investigator or other government employee  
7 who violates the provisions of this Section shall be guilty of a  
8 misdemeanor and upon conviction thereof shall be fined not more  
9 than One Thousand Dollars (\$1,000) or imprisoned for not more than  
10 six (6) months, or both.

11 Section 14-47. Nonexclusive Remedy.

12 The provisions of this Act shall be construed as vesting  
13 in all persons the right to be free of any practices within  
14 Harford County which are prohibited herein. Any person who is  
15 aggrieved by an act prohibited herein may bring an appropriate  
16 action in Law or in Equity in the Circuit Court for Harford County  
17 to seek damages, including counsel fees, redress of injury or  
18 injunctive relief arising out of any act prohibited herein, in  
19 addition to pursuing the procedures and seeking the remedies  
20 established herein.

21 Section 14-48. It shall be a misdemeanor for any person to  
22 violate any unlawful practice prohibitions of Article 6 of Chapter  
23 14, and upon conviction of such violation, said person shall be  
24 punished by a fine of not more than One Thousand Dollars (\$1,000)  
25 or imprisonment for not more than six (6) months, or both.

26 Section 2. *And Be It Further Enacted*, that if any provision or  
27 provisions of this Act, or the particular application thereof,  
28 shall be held to be invalid, the remaining provisions and their  
29 application shall not be affected thereby. Should any provision  
30 hereof be inconsistent with any rule, regulation or policy of  
31 any other agency having jurisdiction, such provision shall be  
32 invalid, but the remaining provisions and their application shall

1 not be affected thereby.

2 Section 3. *And Be It Further Enacted*, that this Act shall take  
3 effect sixty (60) days from the date it becomes law.

4 EFFECTIVE: December 14, 1976

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76-81

LIBER 2 PAGE 817

AS AMENDED

BY THE COUNCIL

Read the third time.

Passed LSD 76-33 October 5, 1976 (with amendments)

~~Failed of Passage~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 6th day of October, 1976  
at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

[Signature]  
County ExecutiveDate 10-15-76

BY THE COUNCIL

This Bill, having been approved by the  
Executive and returned to the Council, becomes  
law on October 15, 1976.

Angela Markowski  
Angela Markowski, Council Secretary

EFFECTIVE DATE: DECEMBER 14, 1976

A.  
rec'd for record 10/25/1976 at 11:45 M.  
Same day recorded & examined, per  
H. Douglas Chilcoat Clerk

76-81

AS AMENDED